



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 04
Series of 2016

AN ORDINANCE ENACTING THE PASIG CITY CHILDREN'S PROTECTION ORDINANCE OF 2016.

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WHEREAS, in Article 1 in Presidential Decree 603 states that: "The Child is one of the most important assets of the nation. Every effort should be exerted to promote their welfare and enhance their opportunities for a useful and happy life. The child is not a mere creature of the State. Hence, their individual traits and aptitudes should be cultivated to the utmost insofar as they do not conflict with the general welfare."

WHEREAS, the 1997 Philippine Constitution recognizes the vital role of the children and youth in nation building and shall promote and protect their physical, moral, spiritual, intellectual and social well being. It is likewise stated that the State recognizes the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty and exploitation, and other condition prejudicial to their development;

WHEREAS, pursuant to Republic Act no. 7160 or the Local Government Code of 1991, every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall, among other things, promote health and safety, maintain peace and order, and preserve the comfort and convenience of their inhabitance.

NOW, THEREFORE, be it ordained by the Sangguniang Panlungsod of Pasig in a regular session duly assembled;

ARTICLE 1. TITLE, DEFINITION OF TERMS AND COVERAGE

SECTION 1. TITLE - This ordinance shall be known as the "Pasig City Children's Protection Ordinance of 2016".

SECTION 2. This Ordinance shall apply to the following:

- (a) All minors, whether or not Pasig City residents, found within the territory of the City of Pasig.
- (b) All establishments and businesses located within Pasig City.



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ARTICLE 2. PROHIBITED ACTS

SECTION 3. Minors are prohibited to wander, stray, saunter or loiter in the streets, plazas, malls, recreational centers, commercial establishments and any other public places or areas outside the immediate vicinity of their residences within the curfew hours except in the following instances:

- When accompanied by their parents, family members of legal age, or guardian upon due verification.
- Those running in an errand such as but not limited to buying medicines, using of telecommunication facilities for emergency purpose and the like;
- Those who came from night school who are required to stay at the streets within the curfew hours but not beyond 12:00 mn;
- Those minors whose work requires presence outside their residence during the curfew hours provided they are equipped with a Certification from their school for the said school activity.

SECTION 4. Establishments such as computer shops, billiard halls, amusement places, motels, night clubs, video bars, and the like are prohibited to accept any unaccompanied minors at any given time is prohibited by law specifically during the curfew hours.

SECTION 5. It shall be unlawful for any parent, guardian or person having care of the child to abandon, abuse, neglect, exploit or force their children/ward or send them out in the streets to beg or perform any service for a fee.

SECTION 6. TRUANCY - it shall be unlawful for any minor under the age of eighteen, who is subject to compulsory education to loiter, idle, wander, or be in any park, playground, or amusement Center, internet cafe, Computer Gaming shops or Center, or Computer rental shops, vacant lot, or any places, other than school, between the hours of seven (7:00) AM and (3:00) PM on days when school is in session, except for the following instances.

- When minor is accompanied by his or her parent, guardian or other adult person having the care and custody of minor.
- When the minor is in an emergency errand directed by his/or her parent, guardian, or adult person having the care or custody of the minor or.
- When minor is going or coming directly from a medical check-up; or
- When student is returning from the public meeting and has in his or her possession of a school issued permit.



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SECTION 7. It shall be unlawful for any person or business entity to sell Liquor, Alcoholic beverages and other Intoxicating drinks to minors.

SECTION 8. It shall be unlawful for any person or business entity to sell Tobacco, Cigarettes, E-Cigarettes, Vape and the like to minors.

SECTION 9. It shall be unlawful for any minor when inside Internet Cafe, Computer Game Shop Center, Computer Rental Shops, and the likes, to:

a. Perform or exhibit in front of a digital camera, computer video camera, camera equipped-mobile phones, webcam and the like, any of the following acts, either for free or for consideration, promise or reward :

- a.1) Actual or simulated sexual intercourse, including genital-genital, oral-genital, oral-anal, whether between the same or opposite sex.
- a.2) Bestiality (Sexual relations with an animal).
- a.3) Masturbations.
- a.4) Sadistic or masochistic abuse.
- a.5) Use Vibrator or any instrument where the genitals, breast or public area of any person is exhibited.
- a.6) Watching somebody performing activities from (a.1) to (a.5).
- a.7) Other activities which are similar nature.

b. Surf the internet or websites which contain pornographic or lewd materials, satanic/violent materials or those that advertise or promote prostitution;

c. Produce, distribute, and transmit images or visual representation depicting the above-cited prohibited acts in paragraph (a) above.

d. Gamble on-line bet among customers inside the premises.

e. Play computer games during school hours and curfew hours.

Section 10. It would be unlawful for any Barangay Official or Barangay Council for the Protection of Children (BCPC) not to take action and report to proper authorities any crime committed against, by and/or affecting the welfare of minors within their area of responsibility.

ARTICLE 3. PENALTIES

Section 11. A. Any minor who are guilty of violating any provisions of this Ordinance shall undergo the following intervention program:

- a. For the **1st OFFENSE** - when a minor is found and rescued under this ordinance for the first time, both the minor and the parent or guardian shall undergo a compulsory counseling to be conducted by the Barangay Council for the Protection of Children (BCPC) or the CSWD in accordance with the program and proceeding as prescribed.

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- b. For the **2nd OFFENSE** -when a minor is found and rescued under this ordinance for the second time, the parent or guardian shall be penalized with a fine of Two Thousand Pesos (P2,000.00) and one (1) day of community service. The minor shall undergo counseling to be imposed by the BCPC or CSWD after which he/she shall be released to the custody of their parent or guardian. Further, the parent or guardian shall sign an agreement with the BCPC or CSWD for the care and protection of the minor before the acceptance of the custody of the minor. All records shall be transmitted to the CSWD immediately.
- c. For the **3rd OFFENSE** - when a minor is found and rescued under this ordinance for the third time, the parent or guardian shall be penalized with a fine of Three Thousand Pesos (P3,000.00) and/or community service of (5) days. Immediately upon rescue, the minor shall be turned over to the CSWD for counseling in accordance with the program and proceeding as prescribed and formulated, and will undergo examination before the minor is returned to the parent or guardian.
- d. For the **4th OFFENSE** - when a minor is found and rescued under this ordinance for the fourth time, the parent and/or guardian shall be penalized with a fine Five Thousand Pesos (P5,000.00) and filing of the appropriate case with the courts. The minor shall be endorsed to CSWD for an in-depth interview and assessment as maybe appropriate or proper and shall be subjected for proper case management. After which, the minor shall be turned over to the parent or guardian or to an appropriate institution as the case may be.
- e. In case the rescued minor is a resident of another City or Municipality or the place is in question the BCPC will endorse the custody of the minor to CSWD or to any other accredited NGO not later than eight (8) hours upon the immediate rescue of the child.

B. Establishments and businesses mentioned in this Ordinance who are found guilty of any violation of this ordinance shall be penalized as follows:

- 1st Offense - a fine of Three Thousand Pesos (P3,000.00)
2nd Offense - a fine of Five Thousand Pesos (P5,000.00) and one (1) month suspension of operation
3rd Offense - Closure of Establishment over the required penalty from local Gov't. code

C. For person/individuals other than a minor who are found guilty of any violation of this Ordinance shall be penalized as follows:

- 1st Offense - a fine of Five Hundred Pesos (P500.00)
2nd Offense - a fine of Three Thousand Pesos (P3,000.00)
3rd Offense - a fine of Five Thousand Pesos (P5,000.00) and/or imprisonment of not more than 6 months as the court may so decide.



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D. For Barangay Officials and Members of Barangay Council for the Protection of Children (BCPC). who are found guilty of any violation of this Ordinance shall be penalized as follows:

- 1st Offense - warning
- 2nd Offense - suspension of 15 days
- 3rd Offense - suspension of 30 days

SECTION 12. IMPLEMENTING AGENCIES - The following agencies shall implement this Ordinance:

- Batas ng Ciudad Enforcement Office (BCEO)
- Public Order and Safety Unity (POSU)
- Kabataan Patrol (KP) Team
- Barangay Security Force
- Traffic Police Management Office
- Department of Social Welfare (Pasig)

SECTION 13. REPEALING CLAUSE - Ordinances, executive orders and other local legislation inconsistent with this Ordinance are hereby modified or repealed accordingly.

SECTION 14. SEPARABILITY - The provisions of this Code are hereby declared to be separable and in the event that one or more of the other provisions are held illegal or unconstitutional, the validity of the other provisions shall not be affected.

SECTION 15. EFFECTIVITY - This Ordinance shall take effect upon its approval.

APPROVED, this 25th day of **August 2016** at Pasig City.

VICTOR MA. REGIS N. SOTTO
Councilor

RODRIGO A. ASILO
Councilor

GREGORIO P. RUPISAN JR.
Councilor

MARIO C. CONCEPCION, JR.
Councilor

RHICHIE GERARD T. BROWN
Councilor

ORLANDO R. BENITO
Councilor

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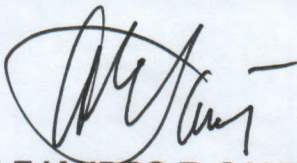


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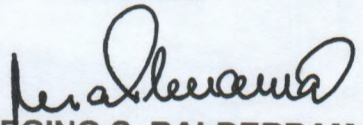
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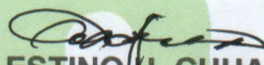
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ALEJANDRO E. SANTIAGO
Councilor

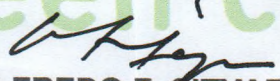

CORAZON M. RAYMUNDO
Councilor

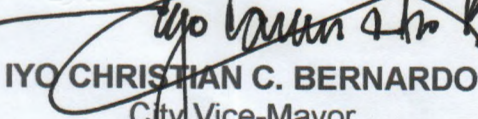

REGINO S. BALDERRAMA
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Minority Floor Leader


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Councilor
Majority Floor Leader

Attested by: 
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City Vice-Mayor
Presiding Officer

APPROVED: 
ROBERT C. EUSEBIO
City Mayor

Attested by: 
REYNALDO R. SAN BUENAVENTURA III
Acting City Council Secretary

